



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/678,195	10/02/2003	John Staniszewski	12606/1	2130
26646	7590	02/08/2005	EXAMINER	
KENYON & KENYON ONE BROADWAY NEW YORK, NY 10004			TRIEU, VAN THANH	
			ART UNIT	PAPER NUMBER
			2636	

DATE MAILED: 02/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/678,195

Applicant(s)

STANISZEWSKI, JOHN

Examiner

Van T Trieu

Art Unit

2636

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/2/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: in claim 8, line 3, delete the extra word "at".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4, 6, 7, 9-11 and 13-22 are rejected under 35 U.S.C. 102(b) as being anticipated by **Mushell** [US 5,442,348].

Regarding claim 1, the claimed memory (the ROM/RAM memory for storing parking processing data, see Figs. 2 and 3, col. 7, lines 22-38); and the timer device (the watch dog timer or real time clock 12 determines of time of day, day of the week and date, see Figs. 2 and 3, col. 4, lines 66-67, col. 5, lines 1-4 and col. 10, lines 17-22); and the alert device (the interface 11 activates an alarm speaker 20 to sound an alarm and flashing LCD 19 when parking meter time has expired, see Figs. 2 and 3, col. 7, lines 59-68, col. 8, lines 1-6, col. 9, lines 64-68, col. 10, lines 1-68 and col. 11, lines 1-13).

Art Unit: 2636

Regarding claim 2, all the claimed subject matters are cited in respect to claim 1 above, and including the municipal parking regulations, see col. 10, lines 6-68 and col. 11, lines 1-21).

Regarding claim 3, all the claimed subject matters are cited in respect to claims 1 and 2 above, and including the on-street parking regulations, see Fig. 1.

Regarding claim 4, all the claimed subject matters are cited in respect to claim 1 above.

Regarding claim 6, all the claimed subject matters are cited in respect to claim 1 above, and including the user interface 11, see Fig. 2.

Regarding claim 7, all the claimed subject matters are cited in respect to claim 6 above, and including the processing a security code to activate the first unit (the user interface 11 received security code, authorized code or proper code for activating the parking meter 1, see Figs. 2 and 3, col. 7, lines 44-58, col. 9, lines 3-16 and col. 11, lines 34-68).

Regarding claim 9, all the claimed subject matters are cited in respect to claim 1 above, and including the rechargeable battery 27, see col. 9, lines 43-49.

Art Unit: 2636

Regarding claim 10, all the claimed subject matters are cited in respect to claim 1 above, and including the logically coupled to the first unit to an external device (the external portable terminal 25 is logically coupled to the parking meter 1, see Figs. 2 and 7, col. 8, lines 25-68 and col. 9, lines 1-42).

Regarding claim 11, all the claimed subject matters are cited in respect to claim 1 above, and including the indented area configured to hold at least one coin (the coin receptor 18, see Fig. 2, col. 7, lines 50-52).

Regarding claim 13, all the claimed subject matters are cited in respect to claim 1 above, and including the second unit (the portable terminal 25, see Figs. 2 and 7, col. 8, lines 25-68 and col. 9, lines 1-42).

Regarding claim 14, all the claimed subject matters are cited in respect to claim 13 above and including cable connection between the portable terminal 25 and the parking meter 1, see col. 8, lines 25-27.

Regarding claim 15, all the claimed subject matters are cited in respect to claim 1 above, and including the determining parking location of a vehicle, which reads upon the remote central control CPU 26 can determine the location place of a car 5 parking at the parking meter 1, see Fig. 2, col. 9, lines 17-33.

Art Unit: 2636

Regarding claim 16, all the claimed subject matters are cited in respect to claim 1 above.

Regarding claim 17, the method claimed limitations are met by the apparatus claims 1 above.

Regarding claim 18, all the claimed subject matters are cited in respect to claims 2 and 17 above.

Regarding claim 19, all the claimed subject matters are cited in respect to claims 3 and 17 above.

Regarding claim 20, all the claimed subject matters are cited in respect to claims 4 and 17 above.

Regarding claim 21, all the claimed subject matters are cited in respect to claim 1 above.

Regarding claim 22, the method claimed limitations are met by the apparatus claims 1 above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 5 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Mushell** [US 5,442,348] in view of **Treyz et al** [US 6,526,335]

Regarding claim 5, **Mushell** fails to disclose the memory is configured to store data relating to at least one of vehicle maintenance, an address, a telephone number, an appointment and a calendar entry. However, **Mushell** teaches that a microprocessor 10 includes a ROM/RAM memory communicating with a portable terminal 25 having a touch memory for storing all information data relating to the vehicle 5 parked at a parking meter 1, including the authorization code, ID codes, time of day, day of week, calendar date, time, interval timer, access counter and advertising messages, see Figs. 2 and 3, col. 8, lines 22-68, col. 9, lines 1-16 and col. 10, lines 17-27. **Treyz et al** suggests that an electronic parking meter 738 is arranged to use with an automobile personal computer 14 over a wireless link. The automobile personal computer 14 uses sounds effects to be assigned to functions such as to turning on the headlights, using the wipers, opening the door locks or trunk, starting the engine, sounding the horn, etc., see Figs. 57-59, col. 50, lines 10-67 and col. 51, lines 1-6. Therefore, it would have been obvious to one skill in the art at the time the invention was made to substitute the automobile personal computer of **Treyz et al** for the portable terminal of **Mushell** since

Art Unit: 2636

the portable unit use of wireless links there between to provide convenience to user/driver having one portable unit to operate both of parking meter and vehicle operation functions.

Regarding claim 12, all the claimed subject matters are discussed between **Mushell** and **Treyz et al** in respect to claims 1 and 5 above.

4. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Mushell** [US 5,442,348] in view of **Jones** [US 5,589,812]

Regarding claim 8, **Mushell** fails to disclose the alert device is configured to be automatically activated at least one predetermined time interval before a time indicated by the predetermined parking rule data. However, **Mushell** teaches that the parking meter 1 with an alarm the interface 11 activates an alarm speaker 20 to sound an alarm and flashing LCD 19 when parking meter time has expired, see Figs. 2 and 3, col. 7, lines 59-68, col. 8, lines 1-6, col. 9, lines 64-68, col. 10, lines 1-68 and col. 11, lines 1-13. **Jones** suggests that a portable timing device 10 for use to conjunction with a parking meter or machine meter to automatically provides an audible warning signal 6 at predetermined intervals as the expiration time approaches or before the parking meter expires, thereby helping to insure the effective use of a municipal parking control system, see Figs. 1 and 3, col. 3, lines 58-67. Therefore, it would have been obvious to one skill in the art at the time the invention was made to substitute the predetermined

Art Unit: 2636

warning interval of **Jones** for the alarm of **Mushell** in order to prevent of parking violate after the parking meter is expired by responding to the early warning.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Elias discloses a parking meter system includes a metering device located within the vehicle and wirelessly communicating with a remote reader. [US 6,102,285]

Benezet discloses an electronic access controlled system for parking meters comprises an electronic memory and a portable transfer module. [US 5,278,395]

6. Any inquiry concerning this communication or earlier communications from examiner should be directed to primary examiner **Van Trieu** whose telephone number is (571) 272-2972. The examiner can normally be reached on Mon-Fri from 7:00 AM to 3:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. **Jeffery Hofsass** can be reached on (571) 272-2981.

A handwritten signature in black ink, appearing to read 'Van Trieu', with a long horizontal flourish extending to the right.

Van Trieu
Primary Examiner
Date: 2/4/05